

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED
06/12/2009
Clerk, U.S. District Court
Western District of Texas

By: mm
Deputy

UNITED STATES OF AMERICA

vs.

(1) MARIA CATALINA HERNANDEZ

Defendant.

§
§ CASE NUMBER: EP:09-M -03525(1) - M
§ USM Number:
§
§

JUDGMENT IN A CRIMINAL CASE
(For A Petty Offense) - Short Form

The defendant, MARIA CATALINA HERNANDEZ, was represented by counsel, Jorge Luis Rivas Jr..

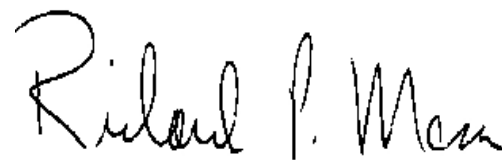
The defendant pled guilty to the complaint on June 12, 2009. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 USC 1325(a)(1)	IMPROPER ENTRY BY AN ALIEN	May 29, 2009

As pronounced on June 12, 2009, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of Time Served. The defendant shall remain in custody pending service of sentence.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because reasonable efforts to collect this assessment are not likely to be effective.

Signed this the 12th day of June, 2009.



RICHARD P MESA
U.S. MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

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06/01/2009
Clerk, U.S. District Court
Western District of Texas

By: *mnm*
Deputy

UNITED STATES OF AMERICA

vs.

(1) MARIA CATALINA HERNANDEZ

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§ **Case Number:**
§ **EP:09-M -03525(1) - M**
§

Spanish Language Interpreter Required

PROCEEDINGS SHEET/CRIMINAL NOTICE

8 USC

1325(a)(1)

TAKE NOTICE that a proceeding in this case has been set for the place, date and time set forth below.

PLACE UNITED STATES COURTHOUSE 511 E. San Antonio El Paso, Texas 79901	ROOM NO. 444 <hr/> DATE AND TIME June 12, 2009 at 10:00 AM
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TYPE OF PROCEEDING

MISDEMEANOR ARRAIGNMENT

RICHARD P MESA

UNITED STATES MAGISTRATE JUDGE

06/01/2009

Initial Appearance Date

Margie N. Molina (915) 534-6717

(BY) DEPUTY CLERK

MARIA CATALINA HERNANDEZ

[CJA] Jorge Luis Rivas Jr.

521 Texas Avenue, El Paso TX 79901; (915) 533-7200

U.S. PROBATION

U.S. PRETRIAL

U.S. ATTORNEY

U.S. MARSHAL

AGENCY: El Paso Sector Border Patrol - Blakemore, Waymond C.

PENALTY: 0 year(s) to 6 month(s) / \$5,000.00 / 0 SR / \$10.00 SA

BOND: \$5000.00 C/CS

1. CIR./DIST./DIV. CODE TXW		2. PERSON REPRESENTED (1) MARIA CATALINA HERNANDEZ			VOUCHER NUMBER		
3. MAG. DKT./DEF. NUMBER EP:09-M -03525(1)		4. DIST.DKT./DEF.NUMBER		5. APPEALS DKT./DEF.NUMBER		6. OTHER DKT. NUMBER	
7. IN CASE/MATTER OF (Case Name) U.S. vs. (1) MARIA CATALINA HERNANDEZ		8. PAYMENT CATEGORY Petty Offense		9. TYPE PERSON REPRESENTED Adult Defendant		10. REPRESENTATION TYPE Criminal Case	
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) <i>If more than one offense, list (up to five) major offenses charged, according to severity of offense.</i> 8 USC 1325(a)(1) - IMPROPER ENTRY BY AN ALIEN 8 USC 1325(a)(1)							
12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix), AND MAILING ADDRESS Rivas, Jorge Luis Jr. 521 Texas Avenue El Paso, TX 79901 Telephone Number: (915) 533-7200				13. COURT ORDER <input checked="" type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs for Federal Defender <input type="checkbox"/> R Subs for Retained Attorney <input type="checkbox"/> P Subs for Panel Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's Name: _____ Appointment Date: _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has otherwise satisfied the court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 12 is appointed to represent this person in this case. Or <input type="checkbox"/> Other (See Instructions)			
14. NAME AND MAILING ADDRESS OF LAW FIRM (Only provide per instructions)				Signature of Presiding Judicial Officer or By Order of the Court 06/01/2009 Date of Order Nunc Pro Tunc Date Repayment or partial repayment ordered from the person represented for this service at time of appointment <input type="checkbox"/> YES <input type="checkbox"/> NO			
CLAIM FOR SERVICES AND EXPENSES						FOR COURT USE ONLY	
CATEGORIES (Attach itemization of services with dates)		HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW	
15. a. Arraignment and/or Plea							
b. Bail and Detention Hearings							
c. Motion Hearings							
d. Trial							
e. Sentencing Hearings							
f. Revocation Hearings							
g. Appeals Court							
h. Other (Specify on additional sheets)							
(RATE PER HOUR = \$) TOTALS:							
16. a. Interviews and Conferences							
b. Obtaining and reviewing records							
c. Legal research and brief writing							
d. Travel time							
e. Investigative and other work (Specify on additional sheets)							
(RATE PER HOUR = \$) TOTALS:							
17. Travel Expenses (lodging, parking, meals, mileage, etc.)							
18. Other Expenses (other than expert, transcripts, etc.)							
GRAND TOTALS (CLAIMED AND ADJUSTED):							
19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE				20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION		21. CASE DISPOSITION	
FROM: _____ TO: _____							
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this case? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the Court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney _____ Date _____							
APPROVED FOR PAYMENT -- COURT USE ONLY							
23. IN COURT COMP.		24. OUT OF COURT COMP		25. TRAVEL EXPENSES		26. OTHER EXPENSES	
28. SIGNATURE OF THE PRESIDING JUDGE				DATE		28a. JUDGE CODE	
29. IN COURT COMP.		30. OUT OF COURT COMP		31. TRAVEL EXPENSES		32. OTHER EXPENSES	
34. SIGNATURE OF THE CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) <i>Payment approved in excess of the statutory threshold amount.</i>				DATE		34a. JUDGE CODE	

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

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Clerk, U.S. District Court
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By: mm
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USA
vs.
(1) MARIA CATALINA HERNANDEZ

§
§ CRIMINAL COMPLAINT
§ CASE NUMBER: EP:09-M -03525(1) - M
§
§


I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **05/29/2009** in **El Paso** county, in the **WESTERN DISTRICT OF TEXAS** defendant(s) did, (track statutory language of offense) being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: *"The DEFENDANT, Maria Catalina HERNANDEZ, an alien to the United States and a citizen and national of Mexico, entered the United States illegally from the Republic of Mexico on May 29, 2009, approximately 10.9 miles west of the Fabens Port of Entry in El Paso, Texas and is located in the Western District of Texas. The area where the DEFENDANT entered the United States is a place not designated as a Port of Entry by Immigration Officers."*

Continued on the attached sheet and made a part of hereof:

☒ Yes ☐ No

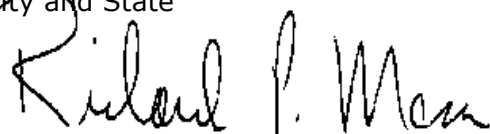
Sworn to before me and subscribed in my presence,



Signature of Complainant
Blakemore, Waymond C.
Border Patrol Agent

06/01/2009
File Date

at EL PASO, Texas
City and State



RICHARD P MESA
U.S. MAGISTRATE JUDGE

Signature of Judicial Officer

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

(1) MARIA CATALINA HERNANDEZ

FACTS (CONTINUED)

The DEFENDANT, Maria Catalina HERNANDEZ, an alien to the United States and a citizen and national of Mexico, entered the United States illegally from the Republic of Mexico on May 29, 2009, approximately 10.9 miles west of the Fabens Port of Entry in El Paso, Texas and is located in the Western District of Texas. The area where the DEFENDANT entered the United States is a place not designated as a Port of Entry by Immigration Officers.

On May 29, 2009, Border Patrol Agent Travis Weston was assigned to a skybox. Agent Weston observed four individuals crossing the Rio Grande River, the international boundary between the United States and Mexico. Agent Weston radioed Border Patrol Agents in the area and advised them of the group. Agent Erik Garcia responded. Agent Weston advised him that three of the individuals had made it back south across the Rio Grande and into Mexico. Agent Garcia noticed foot sign heading west on the north side of the U.S./Mexico border fence. Agent Garcia followed the foot sign and observed the DEFENDANT walking along the northern side of the border fence. Agent Garcia approached the DEFENDANT in full uniform and identified himself as a United States Border Patrol Agent. The DEFENDANT was then questioned as to her citizenship and immigration status. The DEFENDANT claimed to be a citizen and national of Mexico and was not in possession of valid immigration documents allowing her to enter or remain in the United States legally and that she had crossed illegally into the United States without having been inspected by an immigration officer. The DEFENDANT was taken into custody and transported to the Fabens, Texas Border Patrol Station for processing. The DEFENDANT was entered into the E3/IDENT/IAFIS database. The database indicated the DEFENDANT had immigration history. The DEFENDANT was advised of her rights as per form I-214.

IMMIGRATION HISTORY:

The DEFENDANT was deported to MEXICO on 09/05/2007, through PRESIDIO, TX.

CRIMINAL HISTORY:

NONE